

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

JOSE SALAS-ARROYO,

Defendant.

NO. CR13-0051-RSL

**GOVERNMENT'S EMERGENCY  
MOTION FOR EXTENSION OF TIME  
TO FILE A RESPONSE TO  
DEFENDANT'S MOTION FOR  
COMPASSIONATE RELEASE  
PURSUANT TO  
18 U.S.C. § 3582(c)(1)(A)**

**Noted:**

The United States of America, by and through Brian T. Moran, United States Attorney for the Western District of Washington, and Helen Brunner, Assistant United States Attorney for said district, files this motion seeking an extension of time of fourteen days, to file its response to Defendant Jose Salas-Arroyo's *pro se* motion for a reduction in sentence pursuant to 18 U.S.C. § 3582(c)(1)(A). The defendant is currently serving the 120-month custodial sentence that this Court imposed following his convictions for conspiring to traffic drugs and conspiracy to launder. According to the Bureau of Prisons (BOP), his projected release date is August 8, 2021.

On Monday, January 11, 2021, by ECF email, the government received notice the defendant's *pro se* motion for appointment of counsel and for a reduction in sentence

1 pursuant to 18 U.S.C. § 3582(c)(1)(A). In that motion, the defendant claims that his  
2 medical conditions render him particularly vulnerable to serious illness should he contract  
3 coronavirus disease 2019 (COVID-19). Based on the claims, as set forth in the attached  
4 declaration, the relevant medical records and other documents were promptly requested  
5 from the Bureau of Prisons but have not yet been received because the defendant is housed  
6 at Giles W. Dalby Correction Institution, a BOP contract facility that does not use the BOP  
7 electronic records system.

8 In addition, the undersigned counsel for the government alerted the Federal Public  
9 Defender to the filing and provided him with a copy of the *pro se* motion so he could  
10 determine if counsel should be appointed pursuant to this Court's General Order 03-19.  
11 That General Order provides for appointment of the Federal Public Defender's Office or  
12 CJA counsel for defendants filing a request for compassionate release pursuant to  
13 18 U.S.C. § 3582(c)(1)(A).

14 Because the undersigned counsel is still awaiting the receipt of these records and  
15 the Federal Public Defender's Office is still seeking CJA counsel for the defendant, this  
16 motion seeks a two-week extension of time for filing its response to the *pro se* motion. In  
17 general, if counsel is appointed for a case where a defendant has filed a *pro se* motion, in  
18 order to streamline the process, the lawyers reach agreement on a briefing schedule that  
19 provides counsel for the defendant time to file a supplemental or amended motion, and a  
20 date thereafter for the government's response. Moreover, because the medical records have  
21 not been received, even if counsel is not appointed, the undersigned counsel for  
22 government will need some additional time to review these medical records to assess the  
23 validity of Salas-Arroyo's claims, and to compose and file a meaningful informed response  
24 even if counsel is not appointed.

25 Accordingly, the United States respectfully requests an extension of fourteen days,  
26 of both the motion's noting date and the deadline to file a response to defendant's motion  
27 for compassionate release, or alternatively if counsel is appointed, a stipulated motion for  
28 new briefing schedule.

1 Dated this 14th day of January, 2021.

2 Respectfully submitted,

3 BRIAN T. MORAN  
4 UNITED STATES ATTORNEY

5 s/ Helen J. Brunner  
6 HELEN J. BRUNNER  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 6, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and to be served on the Defendant, Jose Salas-Arroyo, who is proceeding *pro se*, by First Class Mail to the following address:

Jose Salas-Arroyo, Reg. No. 46515-198  
Giles W. Dalby  
Correction Institution  
805 North Avenue F.  
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/s/ John M. Price  
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